

ORDINANCE NO. 20060420-015

AN ORDINANCE ANNEXING FOR THE LIMITED PURPOSES OF PLANNING AND ZONING ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN, CONSISTING OF APPROXIMATELY 575.70 ACRES OF LAND OUT OF THE WILLIAM PORTER SURVEY NO. 6, THE GEORGE HERDER SURVEY NO. 537 AND THE HENRY DOWMAN SURVEY NO. 536 IN TRAVIS AND HAYS COUNTIES, TEXAS, AND REFERRED TO AS THE "WINFIELD MUD NO. 2" AREA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council makes the following findings.

- (A) Notice of two public hearings concerning the limited purpose annexation of the territory described in Exhibit A, referred to as the Winfield MUD No. 2 Area, was published in a newspaper of general circulation in the City of Austin; in the area to be annexed; and on the City of Austin internet website.
- (B) A report containing a planning study and regulatory plan for the territory to be annexed was prepared more than 10 days before the first public hearing.
- (C) Notice of the availability of the report was published twice in a newspaper of general circulation in the area to be annexed.
- (D) The public hearings were held during City Council meetings, and concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation.
- (E) The Regulatory Plan, as amended by City Council, shall be approved by separate ordinance.
- (F) The limited purpose annexation of this territory serves the interests of the current and future residents of the City of Austin.
- (G) All procedural requirements imposed by state law for the limited purpose annexation of the territory described in Exhibit A have been met.

PART 2. The present boundary limits of the City are amended to include the territory described in Exhibit A for limited purposes. The territory is within the extraterritorial jurisdiction of the City of Austin in Travis and Hays Counties, Texas. The territory is annexed into the City for the limited purposes of planning and zoning.

PART 3. The City Council declares that its purpose is to annex to the City of Austin each part of the area described in Exhibit A as provided in this ordinance, whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance as to the remainder of the area.

If any area or lands included within the description of the area set out in Exhibit A are: (1) presently part of and included within the general limits of the City of Austin; (2) presently part of and included within the limits of any other city, town, or village; or (3) are not within the jurisdiction or power of the City of Austin to annex, then that area is excluded and excepted from the area annexed.

PART 4. This ordinance takes effect on May 1, 2006.

PASSED AND APPROVED

<p>_____, April 20_____, 2006</p>	<p>§ § § _____ Will Wynn Mayor</p>
<p>APPROVED: _____ David Allan Smith City Attorney</p>	<p>ATTEST: _____ Shirley A. Gentry City Clerk</p>

EXHIBIT A

C71-06-001

Area to be Annexed for
Limited Purposes.

Approximately 575.70 acres
of land out of the William
Porter Survey No. 6, the
George Herder Survey No.
537 and the Henry Dowman
Survey No. 536 in Travis
and Hays County, Texas.

(Unplatted land)

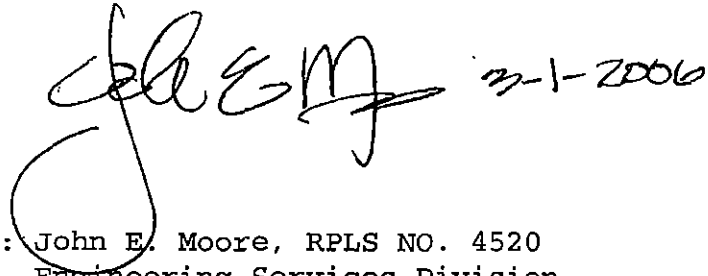
LEGAL DESCRIPTION

**LEGAL DESCRIPTION FOR APPROXIMATELY
575.70 ACRES OF LAND SITUATED IN THE
WILLIAM PORTER SURVEY NO. 6, THE GEORGE
HERDER SURVEY NO 537 AND THE HENRY
DOWMAN SURVEY NO. 536 IN TRAVIS AND HAYS
COUNTY, TEXAS, OF WHICH APPROXIMATELY
575.70 ACRES OF LAND ARE TO BE TAKEN
INTO AND MADE A PART OF THE CITY OF
AUSTIN FOR LIMITED PURPOSES AND BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEING approximately 575.70 acres of land out of the William Porter Survey No. 6, the George Herder Survey No. 537 and the Henry Dowman Survey No. 536 in Travis and Hays County, Texas, being a portion of that certain called 2392.529 acre tract of land conveyed to 2428 Partners L.P. by deed recorded in Document No. 2003050340 of the Official Public Records of Travis County, Texas, said approximately 575.70 acres being described in the attached metes and bounds description prepared by Jerry Fults, R.P.L.S. and labeled "Exhibit D-2".

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared".

LEGAL DESCRIPTION: John E. Moore
03-01-2006

A handwritten signature in black ink, appearing to read 'JEM', followed by the date '3-1-2006'.

APPROVED: John E. Moore, RPLS NO. 4520
Engineering Services Division
Department of Public Works
City of Austin

REFERENCES

TCAD Maps 04-6408 & 04-6418
Austin Grid F-6, F-7, G-6 & G-7

EXHIBIT D-2

STATE OF TEXAS

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COUNTIES OF HAYS AND TRAVIS

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DESCRIPTION, based on record information (courses given are those of record in Document No. 2003050340 noted below or calculated), of a tract or parcel of land containing 575.70 acres, being situated in the Henry Dowman Survey No. 536, William Porter Survey No. 6, and the George Herder Survey No. 537, in Hays and Travis Counties, Texas, being a portion of Tract 1, of 2392.529 acres, conveyed to 2428 Partners L.P. by the deed recorded in Document No. 2003050340 of the Official Public Records of Travis County, and Document No. 03006801 of the Official Public Records of Hays County, Texas; the said 575.70 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a point at the intersection of the centerline of Turnersville Road with the northerly projection of the west line of South Turnersville Road, being the most easterly northeast corner of the abovesaid 2392.529 acre tract;

THENCE, N61°44'00"W, with the northerly line of the said 2392.529 acre tract 60.28 feet to the POINT OF BEGINNING of the herein described tract;

THENCE, leaving the centerline of Turnersville Road, and crossing through the 2392.529 acre tract, along a line parallel with and 50.00 feet at right-angles to the westerly line of South Turnersville Road, same being the easterly line of the 2392.529 acre tract, the following three (3) courses:

- 1) S02°47'02"E, a distance of 1566.09 feet to an angle point;
- 2) S02°38'47"E, a distance of 919.86 feet to an angle point;
- 3) S02°20'28"E, 1860.63 feet to an angle point;

THENCE, leaving the above said parallel line and continuing across the 2392.529 acre tract, with the following twenty six (26) courses:

- 1) S37°17'15"W, 2361.61 feet;
- 2) S74°51'59"W, 390.00 feet;
- 3) N07°27'10"W, 400.00 feet;
- 4) N28°07'42"W, 1149.14 feet;
- 5) N02°07'22"E, 2642.19 feet to a point on a curve to the right;
- 6) With the said curve to the right, having a central angle of 4°41'12", a radius of 310.50 feet, a long chord of 25.39 feet (chord bears S78°31'58"W) for an arc distance of 25.40 feet to the point of reverse curvature of a curve to the left;

- 7) With the said curve to the left, having a central angle of $9^{\circ}17'01''$, a radius of 589.50 feet, a long chord of 95.41 feet (chord bears $S76^{\circ}14'04''W$) for an arc distance of 95.52 feet to the point of reverse curvature of a curve to the right;
- 8) With the said curve to the right, having a central angle of $18^{\circ}38'26''$, a radius of 5062.50 feet, a long chord of 1639.77 feet (chord bears $S80^{\circ}54'46''W$) for an arc distance of 1647.02 feet to the point of reverse curvature of a curve to the left;
- 9) With the said curve to the left, having a central angle of $89^{\circ}19'27''$, a radius of 25.00 feet, a long chord of 35.15 feet (chord bears $S45^{\circ}34'16''W$) for an arc distance of 38.98 feet to a point;
- 10) $S72^{\circ}04'34''W$, 73.96 feet;
- 11) With a nontangent curve to the left, having a central angle of $89^{\circ}12'55''$, a radius of 35.00 feet, a long chord of 49.16 feet (chord bears $N43^{\circ}41'56''W$) for an arc distance of 54.50 feet to the point of reverse curve of a curve to the right;
- 12) With the said curve to the right, having a central angle of $5^{\circ}17'19''$; a radius of 5076.50 feet, a long chord of 468.42 feet, (chord bears $N85^{\circ}39'43''W$) for an arc distance of 468.59 feet to the point of compound curvature of another curve to the right;
- 13) With the said curve to the right, having a central angle of $11^{\circ}01'45''$; a radius of 310.50 feet, a long chord of 59.68 feet, (chord bears $N77^{\circ}30'11''W$) for an arc distance of 59.77 feet to the point of compound curvature of a curve to the left;
- 14) With a curve to the left, having a central angle of $9^{\circ}17'01''$, a radius of 589.50 feet, a long chord of 95.41 feet (chord bears $N76^{\circ}37'49''W$) for an arc distance of 95.52 feet to the point of reverse curvature of a curve to the right;
- 15) With the said curve to the right, having a central angle of $10^{\circ}31'14''$, a radius of 5062.50 feet, a long chord of 928.26 feet (chord bears $N76^{\circ}00'42''W$) for an arc distance of 929.56 feet to the point of tangency;
- 16) $N70^{\circ}45'06''W$, 672.93 feet to a point of curvature of a curve to the left;
- 17) With the said curve to the left, having a central angle of $90^{\circ}00'00''$; a radius of 35.00 feet, a long chord of 49.50 feet, (chord bears $S64^{\circ}14'54''W$) for an arc distance of 54.98 feet to a point;
- 18) $N79^{\circ}35'36''W$, 91.08 feet to the point of curvature of a point on a non tangent curve to the left;

- 19) With the said curve to the left, having a central angle of $90^{\circ}00'00''$; a radius of 35.00 feet, a long chord of 49.50 feet, (chord bears $N25^{\circ}45'06''W$) for an arc distance of 54.98 feet to the point of tangency;
- 20) $N70^{\circ}45'06''W$, 196.34 feet;
- 21) $N02^{\circ}23'03''W$, 769.14 feet to the point of curvature of a point on a non tangent curve to the left;
- 22) With a curve to the left, having a central angle of $06^{\circ}41'36''$, a radius of 2640.00 feet, a long chord of 308.23 feet (chord bears $N00^{\circ}37'08''E$) for an arc distance of 308.41 feet to a point;
- 23) $N02^{\circ}43'40''W$, 384.47 feet to the calculated point of curvature of a curve to the left;
- 24) With the said curve to the left, having a central angle of $00^{\circ}05'48''$, a radius of 2640.00 feet, a long chord of 4.45 feet (chord bears $N02^{\circ}46'34''W$) for an arc distance of 4.45 feet to a point;
- 25) $N02^{\circ}49'28''W$, 300.00 feet to the point of curvature of a curve to the left;
- 26) With a curve to the left, having a central angle of $15^{\circ}31'41''$, a radius of 2640.00 feet, a long chord of 713.29 feet (chord bears $N10^{\circ}35'19''W$) for an arc distance of 715.48 feet to a point in the centerline of Turnersville Road and the northerly line of the 2392.529-acre tract;

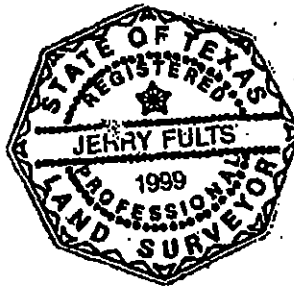
THENCE, along the centerline of said Turnersville Road, being the northerly line of the 2392.529 acre tract with the following seven (7) courses:

- 1) $N87^{\circ}56'00''E$, 3150.96 feet to the point of curvature of a non-tangent curve to the right;
- 2) With said curve to the right, having a central angle of $62^{\circ}40'10''$, a radius of 270.00 feet, a long chord of 280.82 feet (chord bears $S61^{\circ}42'52''E$) for an arc distance of 295.32 feet to a point;
- 3) $S28^{\circ}25'34''E$, 451.78 feet to the point of curvature of a curve to the left;
- 4) With the said curve to the left, having a central angle of $64^{\circ}39'59''$, a radius of 190.00 feet, a long chord of 203.24 feet (chord bears $S60^{\circ}45'34''E$) for an arc distance of 214.44 feet to a point;
- 5) $N86^{\circ}54'26''E$, 2475.62 feet to the point of curvature of a curve to the right;
- 6) With the said curve to the right, having a central angle of $31^{\circ}16'30''$, a radius of

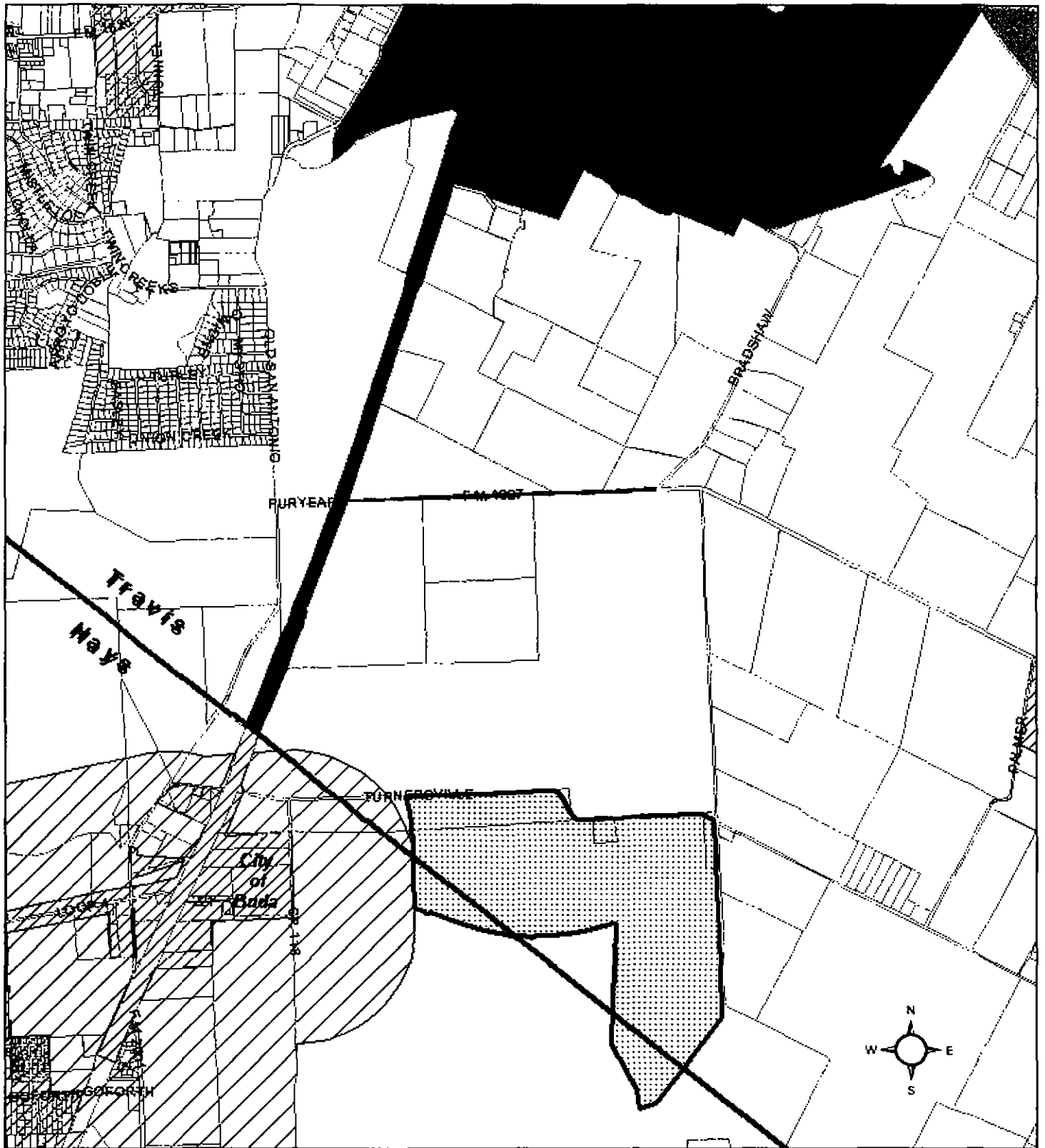
500.00 feet, a long chord of 269.55 feet (chord bears S77°27'19"E) for an arc distance of 272.93 feet to a point;

- 7) S61°44'00"E, continuing with the said northerly line of the 2392.529 acre tract and the centerline of Turnersville Road, 157.97 feet to the POINT OF BEGINNING AND CONTAINING within these metes and bounds 575.70 acres of land area.

I, Jerry Fults, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and this document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Jerry Fults
JERRY W. FULTS, RPLS
No. 4999 - State of Texas



Winfield MUD No. 2 Limited Purpose Annexation Area



City of Austin
Neighborhood Planning & Zoning Department
January 17, 2006

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for general planning purposes only and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Legend

- ANNEXATION AREA
- FULL PURPOSE
- LIMITED PURPOSE
- ETJ

- OTHER CITY
- OTHER CITY'S ETJ
- COUNTY LINE

0 1000 2000 4000
Feet